

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	DOCKET TG-061755
)	
Complainant,)	ORDER 01
)	
v.)	
)	COMPLAINT AND ORDER
RABANCO LTD d/b/a LYNNWOOD)	SUSPENDING TARIFF REVISIONS;
DISPOSAL, MALTBY DIVISION,)	ALLOWING REVISED RATES TO
G-12)	BECOME EFFECTIVE JANUARY 1,
)	2007, ON A TEMPORARY BASIS,
Respondent.)	SUBJECT TO REFUND
.....)	

BACKGROUND

- 1 On November 17, 2006, Rabanco LTD d/b/a Lynnwood Disposal, Maltby Division (Lynnwood or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its Tariff No. 4. The stated effective date was January 1, 2007. The filing would increase residential, commercial and drop box solid waste rates.
- 2 Lynnwood’s proposed rates were designed to increase revenues by \$261,700 (3.2%) annually. Commission Staff’s review revealed that some proposed rates were excessive. Staff and the Company negotiated revised rates that would increase annual revenues by approximately \$160,200 (1.96%). On December 20, 2006, Lynnwood filed revised, lower rates on substitute tariff pages to reflect this reduced revenue level.
- 3 Seventeen customers commented on this filing – all opposed. Several comments disagreed with the large increase in recycling and yard waste service. Many felt it was too high and would discourage these services. Others cited poor customer service by the company and their representatives, especially during the snow storm when pickups were missed several times.
- 4 Customers deserve to know about, and comment on, those revised rates. The Commission should consider all information, including any additional customer comments on the revised rates, in deciding whether to conduct an evidentiary hearing on the revised rates. Lynnwood, therefore, has not yet demonstrated the revised rates are fair, just, reasonable and sufficient.

5 The proposed revised rates might injuriously affect the rights and interests of the public. The Commission therefore suspends the tariff filing. The Commission accepts the proposed revised rates as temporary rates and allows those revised rates to become effective on January 1, 2007, on a temporary basis, subject to refund. Public hearings may be held to determine whether the proposed changes are fair, just, reasonable, and sufficient.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, affiliated transactions, and transfers of public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW; Chapter 81.28 RCW; Chapter 81.16 RCW; and Chapter 81.77 RCW.*
- 7 (2) Lynnwood Disposal is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 8 (3) This matter was brought before the Commission at its regularly scheduled meeting on December 27, 2006.
- 9 (4) The tariff revisions filed by Lynnwood Disposal on November 17, 2006, and the substitute pages filed on December 20, 2006, increase solid waste rates. The revisions filed on December 20, 2006, will result in rates that are fair, just, reasonable, and sufficient.
- 10 (5) Lynnwood Disposal has not yet demonstrated that the original provisions for solid waste rates are fair, just, reasonable and sufficient. The Commission finds it reasonable to allow the revised rates filed on December 20, 2006, to become effective January 1, 2007, on a temporary basis subject to refund.
- 11 (6) Lynnwood Disposal may be required to pay the expenses reasonably attributable and allocable to such an investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 81.20 RCW.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The tariff revision(s) filed by Rabanco LTD d/b/a Lynnwood Disposal, Maltby Division (“Company”) on November 17, 2006, are suspended.
- 13 (2) The proposed revised rates the Company filed December 20, 2006, that reflect Staff-recommended levels should be allowed to become effective January 1, 2007, on a temporary basis, subject to refund.
- 14 (3) The Commission may hold hearings if needed at such times and places as required.
- 15 (4) Rabanco LTD d/b/a Lynnwood Disposal, Maltby Division must not change or alter the tariff filed in this docket during the suspension period, unless authorized by the Commission in this docket.
- 16 (5) The Commission will institute an investigation of Rabanco LTD d/b/a Lynnwood Disposal, Maltby Division’s books, accounts, practices, activities, property, and operations as necessary and as described above.
- 17 (6) Rabanco LTD d/b/a Lynnwood Disposal, Maltby Division shall pay the expenses reasonably attributable and allocable to the Commission’s investigation to the extent the requirements for such payment are in accordance with the provisions of Chapter 81.20 RCW.
- 18 (7) The proposed revised tariff pages filed on December 20, 2006, shall become effective on January 1, 2007, on a temporary basis, subject to refund if the Commission determines that different rates will be fair, just, reasonable and sufficient.

DATED at Olympia, Washington, and effective December 27, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner